

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

COPY OF PAPERS ORIGINALLY FLED

Mark E. Pennell, et al.

serial No.: 09/993,888

Examiner: not yet known

Art Unit: 2152

Filed:

November 27, 2001

Atty. Docket No.:

Title: Method and Apparatus For Defeating A Mechanism

10005.000110

That Blocks Windows

BOX MISSING PARTS Commissioner for Patents Washington, D.C. 20231

## RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed 12/06/2001 for the aboveidentified patent application, enclosed are the following:

- A copy of the Notice to File Missing Parts of Nonprovisional Application;
- □ Power of Attorney;
- An original, signed Declaration;
- ☑ Payment in the amount of \$603.00 for the filing and surcharge fees;
- Applicant claims small entity status under 37 C.F.R. section 1.27.

If the Examiner has any questions or needs additional information, the Examiner is invited to contact the undersigned attorney at (650) 691-2030.

Dated: 1-16-02

Respectfully submitted,
Mark E. Pennell

By: Patrice Blucker

Patrick D. Benedicto
Attorney For Applicant(s)
Reg. No. 40,909
DEGUZMAN OKAMOTO & BENEDICTO LLP
P.O. Box 51900
Palo Alto, California 94303
(650) 691-2030
(650) 691-2032 (FAX)

### Enclosure(s)

CERTIFICATE OF MAILING							
I hereby certify that this correspondence, including the enclosures identified herein, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.							
Signature: Patria Bend'W							
Typed or Printed Name	Patrick D. Benedicto	Dated:	Jan. 16, 2002				
Express Mail Ma (optional):	ling Number						

Append for hrough 10/31/2002. OMB 0651-0032

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tent recorder subject to	<b>\</b> .\.\.\.\.\.\.\.\.\.\.\.\.\.\.\.\.\.\.	examiner Name	not yet known		
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TOTAL AMOUNT OF PAYMENT	(\$) 603.00	Attorney Docket No.	10005.000110		1

		METHOD OF PAYMENT (check one)						FEE CALCULATION (continued)				
The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:				_	DDITIONA Large Entity		Small Entity					
Deposit Account 50-2030						Fee Code	Fee (\$)	Fee Code		Fee Description	Fee Paid	
Nun	nber	1					105	130	205	65	Surcharge - late filing fee or oath	65
Deposit							127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
Account deGuzman Okamoto & Benedicto, LLP.							139	130	139	130	Non-English specification	
Name  ☑ Charge Any Additional Fee Required								2,520	147	2,520	For filing a request for reexamination	
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2. 🔯	See 37 C			y status.		·	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
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106		206	165	Utility filing fee Design filing fe		370	121	280	221	140	Request for oral hearing	
107	510	207	255	Plant filing fee	•		138	1,510	138	1,510	Petition to institute a public use proceeding	
108			370	Reissue filing f			140	110	240	55	Petition to revive - unavoidable	
114	160	214	80	Provisional filling	ng fee	L	141	1,280	241	640	Petition to revive - unintentional	
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Large Fee Codo	Fee	Fee	Entit	y Fee Descri <sub>l</sub>	otion		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
Code 103	( <b>\$</b> ) 18	Code 203	( <b>\$</b> ) 9	Claims in ex	cess of 20		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
102	84	202	42	Independen			179	740	279	370	Request for Continued Examination (RCE)	
104	280	204	140	Multiple dep			, l					
109	84	209	42	original pate	nt	nt claims ove		900	169	900	Request for expedited examination of a design application	
110	18	210	9	** Reissue o over original		cess of 20 a	nd				•	<u> </u>
SUBTOTAL (2) (\$) 168							Other	fee (specif	ý)	-		

SUBMITTED BY Complete (if applicable)									
Name (Print/Type)	Patrick D. Benedicto	Registration No. Attorney/Agent)	40,909	Telephone	650-691-2030				
Signature	Pain'n Be	Date	January 16, 2002						

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ON	type a plus s	ign (+) inside this box			PTO/SB/21 (08-00) ad for use through 10/31/2002. OMB 0651-0031 k Office: U.S. DEPARTMENT OF COMMERCE mation unless it displays a valid OMB control number.					
Arm -				Application Number	09/993,888					
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PE		FORM		First Named Inventor	Mark-E. Pennell COPY OF PAPERS					
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FEB 0	12002 岩			Examiner Name	not yet known					
-	Total Yumber of Page	es in This Submission	15	Attorney Docket Number	10005.000110					
CUPPEUT &	ra Office		ENCLO	OSURES (check all that apply)						
	Fee Transmittal	Form (in duplicate)	N Power	of Attorney	After Allowance Communication to Group					
	☐ Fee Attached	d	Signed	Declaration	Appeal Communication to Board of Appeals and Interferences					
	Transmittal Form	ı	Licensi	ng-related Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)					
	After Final		Petition	1	Proprietary Information					
	Affidavits/dec	claration(s)		n to Convert to a onal Application	Status Letter					
			Reques	st for Refund	Other Enclosure(s) (please identify below): Return receipt postcard					
	Express Abandon	nment Request	CD, Nu	mber of CD(s)						
•	Information Discl	osure Statement								
	Copy of Notice to of Nonprovisiona		Remar	ks						
	Response to Missing Incomplete Appli			-						
	Response to Parts under 3 1.52 or 1.53									
		SIGNA	APPLICANT, ATTORNEY, O	R AGENT						
	Firm or Individual name									
	Signature Pairin Blandivo									
	Date January 16, 2002									
			CEF	RTIFICATE OF MAILING						
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addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 1/16/02

Typed or printed name Patrick D. Benedicto

Signature Patrick D. Benedicto

Date Jan. 16, 2002

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APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

www.uspto.gov ATTORNEY DOCKET NUMBER

09/993.888

11/27/2001

Mark E. Pennell

10005.000110

**CONFIRMATION NO. 7693** 

**FORMALITIES LETTER** 

OC000000007166016\*

Patrick D. Benedicto deGuzman Okamoto & Benedicto LLP P.O. Box 51900 Palo Alto, CA 94303

Date Mailed: 12/06/2001

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$168.
  - \$126 for 14 total claims over 20.
  - \$42 for 1 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 603.

A copy of this notice MUST be returned with the reply.

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE